CR No: 23-1256 MLG	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET BEFORE THE HONORABLE MATTHEW L. GARCIA																			
Time In/Out: 3:29 – 3:52	CR No	o:	23-1256	6 MLG		vs.	Harney-Chee													
Court com:	Date:		2/6/24			Defend	dant:	Kyle Joseph Harney-Chee												
AUSA:	Time In/Out: 3:29				9 – 3:52				Total Time in Court:						23	min	utes			
Courtroom: Gilla	Clerk:			E. Rom	E. Romero					Court Reporter:						Paul Baca				
Convicted on: Plea	AUSA	\ :		Mark Probasco					Defendant's Counsel:						D.	D. Eric Hannum				
Convicted on: Plea	Courtroom:			Gila					Probation Officer:						D.	D. Martinez				
Plea Accepted Plea Accepted Plea Accepted Plea Accepted Accepted Accepted Plea Accepted Plea Accepted Accepted Plea	Interp	reter	:	n/a					Interpreter Sworn?							☐ Choose an item.				
Not Needed Not	Convicted on:			Plea					As to: Information						Counts: 1					
Exceptions to PSR: Sentender Sentende	Guilty Plea:			Accepted				Ple	ea A	Agreement: Accepted										
SENTENCE IMPOSED	Date of Plea/Verdict:			8/15/23	PS	KR · I		×	3	Courts adopts PSR F			indings Evidentiary			ary Hrg:	rg: Not Needed			
MPRISONMENT (BOP): 30 months																				
Supervised Release: 3 years	SENTENCE IMPOSED																			
SUPERVISED RELEASE: 3 years	IMPRISONMENT (BOP): 30 months																			
SPECIAL CONDITIONS OF SUPERVISION Defendant must participate in/successfully complete outpatient substance abuse treatment program & grant waiver of confidentiality. Defendant must submit to a search of your person, property, residence, vehicle, papers, computers (as defined in 18USC1030(e)(1)), other electronic communications or data storage devices or media, or office under your control. Defendant must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances that impair your physical or mental functioning, whether or not intended for human consumption. Defendant must and follow rules and regulations of the program; You shall waive your right of confidentiality. MONETARY PENALTIES / FORFEITURES Fine: \$ -0- Restitution: \$ -0- SPA: \$ 100.00 Due Immediately Forfeit rights title & interest to: OTHER Waived Appeal Rights per Plea Agreement Agreement Recommended place(s) of incarceration: Black Canyon, AZ., to be near family. Dismissed Counts: PROCEEDINGS	⊠ 50	00-Н	our Drug P	rogram		BOP sex-o	treatme	atment program Other:												
Defendant must participate in/successfully complete outpatient substance abuse treatment program & grant waiver of confidentiality. Defendant must submit to a search of your person, property, residence, vehicle, papers, computers (as defined in 18USC1030(e)(1)), other electronic communications or data storage devices or media, or office under your control. Defendant must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances that impair your physical or mental functioning, whether or not intended for human consumption. Defendant must participate in mental health treatment program and follow rules and regulations of the program; You shall waive your right of confidentiality. MONETARY PENALTIES / FORFEITURES Fine: \$ -0- Restitution: \$ -0- SPA: \$ 100.00 Due Immediately Forfeit rights title & interest to: OTHER Waived Appeal Rights per Plea Agreement Monetage in control incommended place(s) of incarceration: Black Canyon, AZ., to be near family. PROCEEDINGS	SUPEI	RVI	SED REI	LEASE:	3 years									M	Iandatory/Standard Conditions					
outpatient substance abuse treatment program & grant waiver of confidentiality. □ Defendant must submit to a search of your person, property, residence, vehicle, papers, computers (as defined in 18USC1030(e)(1)), other electronic communications or data storage devices or media, or office under your control. □ Defendant must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances that impair your physical or mental functioning, whether or not intended for human consumption. □ Defendant must participate in mental health treatment program and follow rules and regulations of the program; You shall waive your right of confidentiality. ■ MONETARY PENALTIES / FORFEITURES Fine: \$ -0- Restitution: \$ -0- SPA: \$ 100.00 Due Immediately Forfeit rights title & interest to: ■ OTHER ■ Waived Appeal Rights per Plea Agreement ■ Held in Custody Recommended place(s) of incarceration: Black Canyon, AZ., to be near family. □ Dismissed Counts: ■ PROCEEDINGS								NDIT	Ю	NS OF SU	UPEI	RV.	ISI	ON						
Residence, vehicle, papers, computers (as defined in 18USC1030(e)(1)), other electronic communications or data storage devices or media, or office under your control. Defendant must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances that impair your physical or mental functioning, whether or not intended for human consumption. Defendant must participate in mental health treatment program and follow rules and regulations of the program; you shall waive your right of confidentiality. Monetary Penalties	ou of	outpatient substance abuse treatment program & grant waiver of confidentiality.												er year						
□ administer, or otherwise use any psychoactive substances that impair your physical or mental functioning, whether or not intended for human consumption. □ Defendant must participate in mental health treatment program and follow rules and regulations of the program; You shall waive your right of confidentiality. □ Defendant must take all mental health medications as prescribed by the treating physician. □ Defendant must participate in mental health treatment paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must participate in mental health treatment program; and follow rules and regulations of the program; You shall waive your right of confidentiality. □ Defendant must not possess, self, offer to saic, transport, cause to affect interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must participate in treatment program; and feel interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must not possess, self, offer to saic, transport, cause to affect interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must not passess, self, offer to saic, transport, cause to affect interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must not passess, self, offer to saic, transport, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must not passes, self, offer to passe, the real paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must not passes, self, offer to passes, the real paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must not passes, self-offer transported, cause to affect interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d). □ Defendant must take all mental health medications as prescribed by the treating physician. □ Defendant must not passes, self-offer transported, cause to affect interstate comme	⊠ res	sidend SUSC	e, vehicle, 1030(e)(1)).	papers, con other elect	nputers (as defined in ronic communications or data				₃	to alcohol testing that may include urine testing, a remote alcohol testing system, and/or alcohol monitoring technology program to determine if you										
✓ program and follow rules and regulations of the program; You shall waive your right of confidentiality. ☐ Detendant must take an mental health medications as prescribed by the treating physician. Fine: \$ -0- Restitution: \$ -0- SPA: \$ 100.00 Due Immediately Forfeit rights title & interest to: ✓ Waived Appeal Rights per Plea Agreement ✓ Held in Custody ✓ Recommended place(s) of incarceration: Black Canyon, AZ., to be near family. ☐ Dismissed Counts: PROCEEDINGS	□ adi	lminis ıpair y	ter, or other	rwise use an	ny psychoactive substances that I functioning, whether or not				ם 	transported, cause to affect interstate commerce, import, or export any drug										
Fine: \$ -0- Restitution: \$ -0- SPA: \$ 100.00 Due Immediately Forfeit rights title & interest to: OTHER	□ pro	ogran	n and follow	rules and	regulation	egulations of the program;														
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PROCEEDINGS	⊠ R	ecor	nmended	l place(s) of inc	arcerati	on: Bla	ck Ca	ıny	on, AZ., to	o be r	near	r fa	mily						
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Court in session – parties state appearances; Court outlines documents reviewed for sentencing; Mr. Probasco addresses Court re: 11c1C agreement; Mr. Hannum addresses Court re: 11c1C agreement; Defendant addresses Court; Court will accept plea agreement and imposes sentence; Mr. Probasco states no claim for restitution has been made and does not expect a request to be forthcoming; Officer Martinez answers Court's question re: the requested fine; Mr. Probasco responds; Court will not impose a fine; Mr. Probasco has nothing to add; Mr. Hannum requests BOP placement.